



Roll Call Number

Agenda Item Number

37A

Date January 10, 2022

ABATEMENT OF PUBLIC NUISANCE AT 125 SE 18th ST.

WHEREAS, the property located at 125 SE 18th St., Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the main structure in its present condition constitutes not only a menace to health and safety but is also public nuisance; and

WHEREAS, the Titleholder, Norfolk Southern RY, was notified more than thirty days ago to repair or demolish the main structure and as of this date have failed to abate the nuisance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The main structure on the real estate legally described as the North 43 feet of the West 100 feet South of and Adjacent to the former Chicago Rock Island and Pacific Railroad Lot 1 OP Block 24 BROOKS & COS ADDITION, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 125 SE 18th St., has previously been declared a public nuisance;

The City Legal Department, through Special Counsel Ahlers & Cooney, P.C., is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said structure.

Moved by _____ to adopt.

FORM APPROVED:

Kristine Stone, Special Counsel
Ahlers & Cooney, P.C.

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, P. Kay Cmelik, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk



2021/12/27

14:05:27



2021/12/27

14:04:52



2021/12/27
14:05:02



2021/12/27

14:05:04



2024/12/27
14:05:06



2021/12/27

14:05:16



City of Des Moines
 400 Robert D. Ray Drive
 Des Moines, IA 50309

Case Number: NUIS-2021-000044	
Notice of Violation	Case Type: Public Nuisance
	Case Opened: 10/29/2021
	Date of Notice: 11/08/2021
	Date of Inspection: 10/05/2020

NORFOLK SOUTHERN RY
 CORPORATION SERVICE CO
 505 5TH AVE STE 729
 DES MOINES IA 50309

Address of Property: 125 SE 18TH ST, DES MOINES IA 50317
 Parcel Number: 782402503012
 Legal Description: N 43 F W 100 F S OF & ADJ TO CRI & P RY LT 1 OP BLK 24 BROOKS & COS ADD

Upon inspection of the property located at and locally known as the Address of Property shown above, located in Des Moines, Iowa, ("Property"), there was/were found to be violation(s) of the Municipal Code of the City of Des Moines, Iowa. It has been determined from that inspection that the dwelling currently constitutes a danger to health and safety to the public and is a public nuisance.

We are notifying you that you have the time set out in this notice (below under "Compliance Due Date") to abate the following violation(s) and complete the required remedial action.

VIOLATION(S)

Violation	Corrective Action	Compliance Due Date
60-191 - Vacation and Abatement	Vacate the structure until nuisance has been abated and is no longer declared a public nuisance.	12/17/2021
60-192(1) - Dangerous Structure or Premise - Door, Stairway, Exit	Repair or replace any door, aisle, passageway, stairway, exit, or other means of egress that does not conform to the approved building or fire code.	12/17/2021
60-192(12) - Dangerous Structure or Premise - Abandoned	Demolish the abandoned structure or premises, OR, repair, replace, or renovate the abandoned building or structure to a state such that it is no longer a nuisance or hazard to the public.	12/17/2021
60-192(15) - Unsafe or dangerous structure	Repair or replace the unsafe or unlawful structure OR demolish the structure.	12/17/2021

60-192(4) - Dangerous Structure or Premise - Insufficient Strength or Stability	Repair or replace any portion of a building, or any member, appurtenance, or ornamentation on the exterior of the structure that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value. DEMO PERMIT REQUIRED TO TEAR DOWN BUILDING. BUILDING PERMIT REQUIRED TO REPAIR IT, ALONG WITH ELECTRICAL, MECHANICAL AND PLUMBING PERMITS.	12/17/2021
60-192(5) - Dangerous Structure or Premise - Dilapidated or Deteriorated	Repair or replace the building or structure, or part of a structure which is likely to partially or completely collapse because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.	12/17/2021
60-192(6) - Dangerous Structure or Premise - Unsafe	Vacate and secure any structure that is clearly unsafe for its use and occupancy, OR, demolish the structure after obtaining required permit, OR repair or replace the building or structure, or any portion thereof, that is clearly unsafe for its use and occupancy.	12/17/2021
60-192(7) - Dangerous Structure or Premise - Attractive Nuisance, Harbor for Vagrants	Vacate and secure the structure, OR, repair or replace the building or structure that is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.	12/17/2021
60-192(8) - Dangerous Structure or Premise - Substantial Risk	Repair or replace any portion of the building or structure that is in a condition that it presents either a substantial risk of fire, building collapse, or any other threat to life and safety, OR, demolish the structure.	12/17/2021
60-194 - Defacing and Removing Placard	Replace or restore defaced or removed placard.	12/17/2021

If not occupied, the structure is to remain vacant and unoccupied until occupancy is authorized by this office.

If the structure is occupied, it must be **vacated immediately**. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City may seek a court order directing you to vacate the structure, pursuant to Section 60-191 and 60-192 of the Municipal Code of the City of Des Moines, Iowa.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES. Should you have any questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner.

If you plan to renovate the structure and it has been vacant for over a year, there may be zoning issues, which may affect the renovation plans. Please contact the Development Zoning Division at (515) 283-4207 to determine if there is anything you should be aware of.

If you decide to demolish the building or take the structure down, you will need a demolition permit.

If you cannot renovate or demolish the structure, contact me to discuss allowing the City to remove the structure. There will be costs billed out to you and possibly a judgment. It may be cheaper for you to remove the structure yourself.

If you no longer own this property, please let us know.

Unpaid costs may be collected by personal judgment, collection, or assessment to be collected as a property tax.

Should you have any questions, feel free to call. I can usually be reached between 8:00 a.m. and 9:00 a.m., Monday through Friday.

Thank you for your help,

Respectfully,



Kevin Pyles

Neighborhood Inspector

Neighborhood Services

602 Robert D. Ray Drive, Des Moines, IA 50309

(515) 283-4122

KEPyles@dmgov.org

Polk County Assessor

111 Court Avenue #195
Des Moines, IA 50309-0904

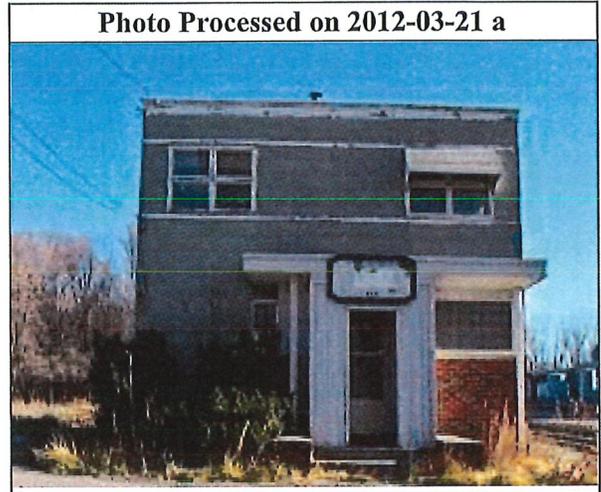
(515) 286-3014 Fax (515) 286-3386
polkweb@assess.co.polk.ia.us

Location					
Address	125 SE 18TH ST				
City	DES MOINES	Zip	50317	Jurisdiction	Des Moines
District/Parcel	040/00358-000-000	Geoparcels	7824-02-503-012	Status	Active
School	Des Moines	Nbhd/Pocket	DM20/Z	Tax Authority Group	DEM-C-DEM-77131
TIF	52/Des Moines SE Agri Business Park UR	Submarket	Northeast Des Moines	Appraiser	Cary Halfpop, ICA 515-286-2279

Map and Current Photos - 1 Record

Click on parcel to get a new listing

[Bigger Map](#) [Polk County GIS](#)
[Google Map](#) [Pictometry](#)



Historical Photos

Ownership - 1 Record

Ownership	Num	Name	Recorded	Book/Page
Title Holder	1	NORFOLK SOUTHERN RY	1888-04-27	201/176

Legal Description and Mailing Address

N 43 F W 100 F S OF & ADJ TO CRI & P RY LT 1 OP BLK 24 BROOKS & COS ADD	SENIOR MANAGER REAL ESTATE TAXES NORFOLK SOUTHERN RY 1200 PEACHTREE ST NE ATLANTA, GA 30309-3579
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Current Values

Type	Class	Kind	Land	Bldg	Total
2021 Value	Commercial	Full	\$5,700	\$64,200	\$69,900

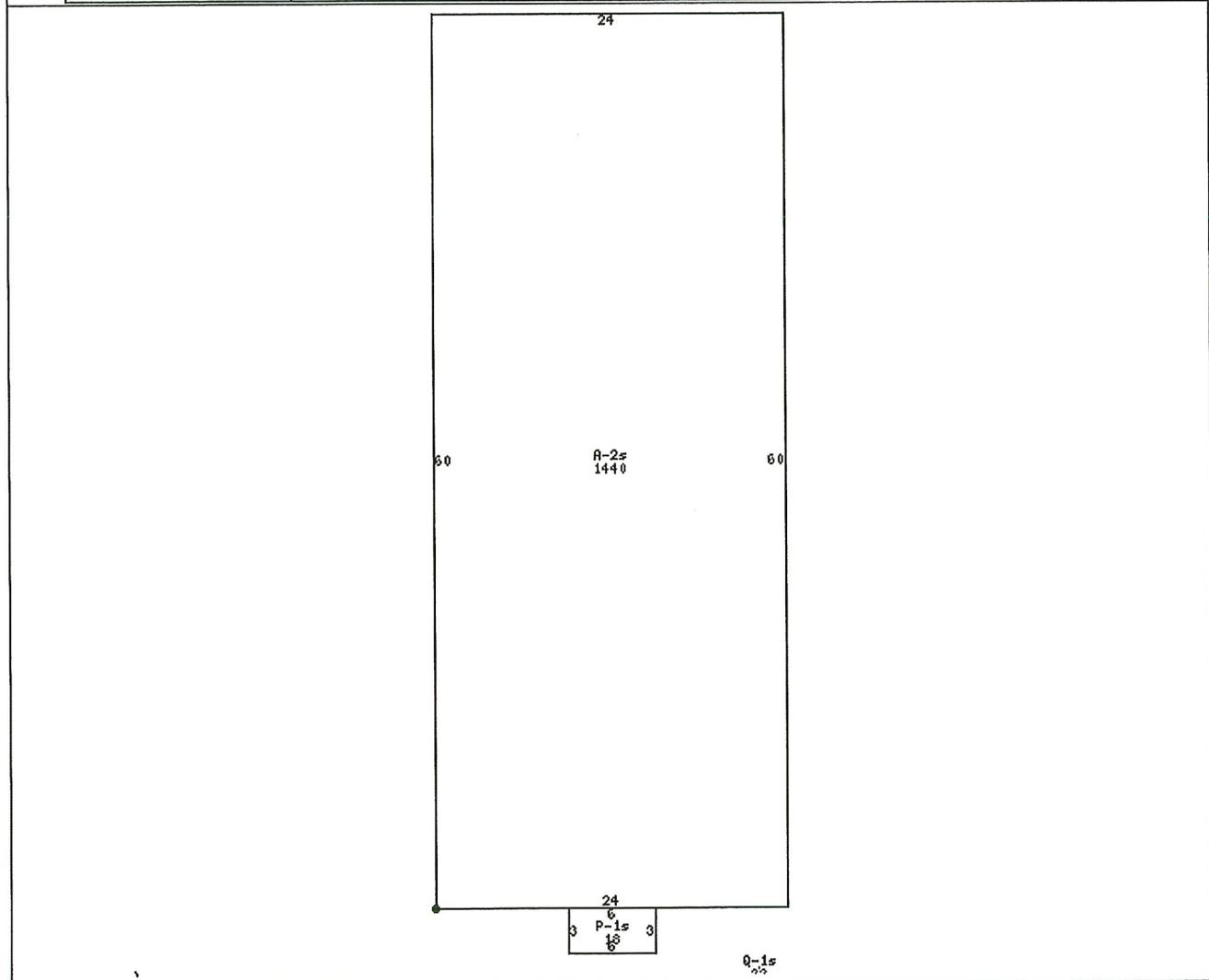
[Assessment Roll Notice](#) [Unadjusted Cost Report](#)

Auditor Adjustments to Value

Category	Name	Information
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Category		Name		Information	
2021 Business Property Tax Credit		SANDRA H INGRAM		Application 4494	
Land					
Square Feet	4,300	Acres	0.099	Frontage	43.0
Depth	100.0	Topography	Blank	Shape	Rectangle
Vacancy	Blank	Unbuildable	Blank		
Commercial Summary					
Occupancy	Office & Warehouse	Age, Weighted	1953	Total Story Height	2
Land Area	4,300	Gross Area	2,880	Finished Area	1,440
Unfinished Bsmt Area	0	Finished Bsmt Area	0	Number of Units	0
Primary Group	Warehouse	Percent Primary Group	50.00	Secondary Group	Office General
Percent Secondary Group	50.00	Grade, Weighted	5/Grade 5	Bldg Class, Weighted	4/Frame, Concrete Blk, Tile, Tilt Up
Condition, Weighted	PR/Poor	Ground Floor Area	1,440	Perimeter	168
Unfinished Area	1,440				
Commercial Sections - 1 Record					
Commercial Section #101					
Occupant	CENTRAL IOWA GRAIN INSP SERV				
Section Multiplier	1	Occupancy	Office & Warehouse	Foundation	Concrete
Exterior Wall	Siding/Shingle	Brick Veneer	120	Roof	Flat
Roof Material	Built-up	Covered Area	33	Covered Quality	Below Normal
Entrance Square Foot	18	Entrance Quality	Below Normal	Wiring	Adequate
Plumbing	Adequate	Total Story Height	2	Frame Type	Frame
Fireproof Construction	No	Bldg Class	Frame, Concrete Blk, Tile, Tilt Up	Total Section Area	2,880
Ground Floor Area	1,440	Perimeter	168	Grade	5+00
Year Built	1953	Year Remodel	1963	Condition	Poor
Comment	REAR 20X24 CONST '63				

Commercial Groups - 2 Records					
Commercial Group #101 1					
Use Code	Warehouse	Base Story	1	Number Stories	1
Total Group Area	1,440	Base Floor Area	1,440	Wall Height	9
Heating	None	Air Conditioning	None	Exhaust System	No
Commercial Group #101 2					
Use Code	Office General	Base Story	2	Number Stories	1
Total Group Area	1,440	Base Floor Area	1,440	Heating	Central
Air Conditioning	None	Exhaust System	No		



Permits - 1 Record					
Year	Type	Permit Status	Application	Reason	Reason1
2012	Pickup	Complete	2011-07-20	Review	LISTING AUDIT

Historical Values						
Yr	Type	Class	Kind	Land	Bldg	Total

Yr	Type	Class	Kind	Land	Bldg	Total
2021	Assessment Roll	Commercial	Full	\$5,700	\$64,200	\$69,900
2019	Assessment Roll	Commercial	Full	\$5,200	\$46,600	\$51,800
2017	Assessment Roll	Commercial	Full	\$5,200	\$43,300	\$48,500
2015	Assessment Roll	Commercial	Full	\$4,500	\$40,000	\$44,500
2013	Assessment Roll	Commercial	Full	\$4,500	\$33,500	\$38,000
2012	Assessment Roll	Commercial	Full	\$4,500	\$33,500	\$38,000
2011	Assessment Roll	Commercial	Full	\$4,300	\$47,400	\$51,700
2009	Assessment Roll	Commercial	Full	\$4,300	\$47,400	\$51,700
2007	Assessment Roll	Commercial	Full	\$4,300	\$47,400	\$51,700
2005	Assessment Roll	Commercial	Full	\$3,900	\$46,000	\$49,900
2003	Assessment Roll	Commercial	Full	\$3,400	\$43,000	\$46,400
2001	Assessment Roll	Commercial	Full	\$3,230	\$40,600	\$43,830
1999	Assessment Roll	Commercial	Full	\$3,100	\$40,600	\$43,700
1995	Assessment Roll	Commercial	Full	\$3,000	\$39,400	\$42,400
1993	Assessment Roll	Commercial	Full	\$2,900	\$37,500	\$40,400
1991	Assessment Roll	Commercial	Full	\$2,800	\$36,100	\$38,900
1991	Was Prior Year	Commercial	Full	\$2,800	\$26,560	\$29,360

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